

# State of California



## Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance  
(916) 322-5662

• • Administration • •  
322-5660

• • Executive/Legal • •  
322-5901

• • Enforcement  
322-6441

July 22, 1985

Shirley Wechsler, Treasurer  
Friends of David Roberti  
11783 Laurelcrest Drive  
Studio City, CA 91604

Re: Your Request for Advice  
Our File No. A-85-159

Dear Ms. Wechsler:

### QUESTION

You have asked what, if anything, you or Senator Roberti should do as a result of press stories alleging that certain campaign contributions the Senator and other members of the Legislature received may have actually come from sources different from those reported on their campaign statements.

### CONCLUSION

You should file amendments if you or the Senator know the source of a contribution was inaccurately reported. If you do not know whether or not the allegations in the press are true, you or the Senator should make reasonable inquiry as to the source of the contributions in question.

### ANALYSIS

As you know, the true source of a contribution should always be reported on a campaign statement. Both candidates and campaign treasurers have an obligation to use all reasonable diligence in determining the true source of contributions, and are required by Commission regulations to:

Correct any inaccuracies and omissions in campaign statements of which the candidate [treasurer] knows, and cause to be checked, and, if necessary, corrected, any information in campaign statements which a person of reasonable prudence would question based on all the

Ms. Shirley Wechsler  
July 22, 1985  
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surrounding circumstances of which the candidate  
[treasurer] is aware or should be aware by reason of  
his or her duties under this regulation and the Act.

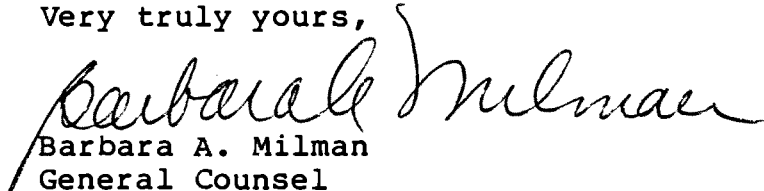
2 Cal. Adm. Code Section  
18427(a) (5), (c) (4)

If a question has been raised by the press as to whether the source of a contribution has been accurately reported on a particular campaign statement, the campaign statement in question should be amended if you or the Senator know that the contribution was reported incorrectly. If you do not know whether the contribution was correctly reported, you should take reasonable steps to inquire into the true source of the contribution. If you (or the Senator) write to both the contributor listed on the report and to the alleged source of the contribution, asking who the source of the contribution was, you will have satisfied the Act's and the regulation's requirement of reasonable inquiry. If both persons agree that the contribution was incorrectly reported, you should amend your statements, and, if you like, attach the letters to the amendments. If even after writing to both persons, it is still not clear who the true source of the contributions was, you are not required to amend your campaign statements. However, you may want to file your letters and the answers, if any, with the original statements, or you may send them to us, to show that you did make an inquiry. You are not required to amend your statements on the basis of press reports.

With respect to your request for information in our files, we can, of course make available any previously published information on this subject. However, at present we are not at liberty to make any other information public.

I hope this answers your questions.

Very truly yours,

  
Barbara A. Milman  
General Counsel

BAM:nwm



F P P C  
SEP 6 7 54 AM '85

**DAVID A. ROBERTI**

**Senate President Pro Tempore**

August 31, 1985

Barbara A. Milman, General Counsel  
Fair Political Practices Commission  
P.O. Box 807  
Sacramento, California 95804


Dear Ms. Milman:

In accordance with your communication of July 22, 1985  
I have enclosed copies of contribution inquiry letters.

We will, of course, file responses with the FPPC and at  
that time determine if amendments to our original cam-  
paign statements are warranted.

I trust that we have satisfied your requirements of  
reasonable inquiry.

Sincerely,

  
Shirley Wechsler, Treasurer  
Friends of Roberti

Enclosures

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F P  
SEP 8 7 54 AM '85  
**DAVID A. ROBERTI**  
**Senate President Pro Tempore**

August 15, 1985

W. Patrick Moriarty, Chairman  
Pyrotronics Corporation  
2349 West La Palma  
Anaheim, California 92801

Dear Mr. Moriarty:

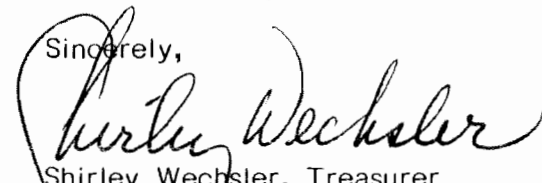
A contribution from Card Construction Company in the amount of \$2,500.00 was made to Friends of Roberti in December, 1981.

Certain newspaper allegations infer that this donation may have come from a source other than that indicated on the check.

Please provide us with any specific information you have pertaining to the true origin of this contribution.

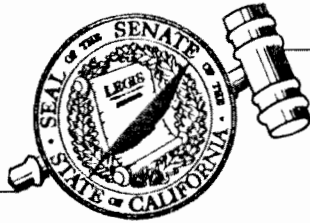
Thank you for your cooperation in this matter.

Sincerely,



Shirley Wechsler, Treasurer  
Friends of Roberti

SW



**DAVID A. ROBERTI**

**Senate President Pro Tempore**

SEP 6 7 54 AM '85

August 15, 1985

Mr. Richard Keith  
Card Construction Company  
16642 Construction Way West  
Irvine, California 92714

Dear Mr. Keith:

A contribution from Card Construction Company in the amount of \$2,500.00 was made to Friends of Roberti in December, 1981.

Certain newspaper allegations infer that this donation may have come from a source other than that indicated on the check.

Please provide us with any specific information you have pertaining to the true origin of this contribution.

Thank you for your cooperation in this matter.

Sincerely,

*Shirley Wechsler*  
Shirley Wechsler, Treasurer  
Friends of Roberti

SW